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TECHNOLOGY CENTER 2800

FAX MESSAGE

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Comments:

Re: U.S. Patent Application No.: 09/613,742

Inventor: Masayoshi OKURA *et al.*

Attorney Docket No.: 046601-5053

PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

In re Application of: Masayoshi OKURA, et al.

Application No.: 09/613, 742

Group Art Unit: 2872

Filed: July 11, 2000

Examiner: J, PHAN

For: ROTARY DEFLECTOR, OPTICAL SCANNING UNIT
AND IMAGE FORMING APPARATUS

1. Response to Species Election Requirement
Transmittal Form
2. Response to Species Election Requirement
mailed October 2, 2001

Dated: February 4, 2002

Attorney Docket No.: 046601-5053

KKL/XY

**DOCKETED**

By

Date

2/5/02

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APR 19 2002

Application No. 09/613,742
Attorney Docket No. 048601-5053
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Page 1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Masayoshi OKURA, et al.

Application No.: 09/613,742

Filed: July 11, 2000

For: ROTARY DEFLECTOR, OPTICAL
SCANNING UNIT AND IMAGE
FORMING APPARATUS

Group Art Unit: 2872

Examiner: J. PHAN

Commissioner for Patents
Washington, D.C. 20231**RESPONSE TO SPECIES ELECTION REQUIREMENT TRANSMITTAL FORM**

1. Transmitted herewith is a Response to the Species Election Requirement mailed October 2, 2001 (paper no. 4). Filed concurrently is a Petition for three-month extension of time, whereby response is due February 4, 2002 (please note that February 2, 2002 was a Saturday).
2. Additional papers enclosed.
 - ☐ Supplemental Information Disclosure Statement
 - ☐ Form PTO-1449, __ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

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 Attorney Docket No. 046601-5053
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3. **EXTENSION OF TIME**

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. 1.17(a)-(d), for the total number of months checked below:

<u>Total months requested</u>	<u>Fee for extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 380.00	\$190.00
<input checked="" type="checkbox"/> three months	\$ 870.00	\$435.00
<input type="checkbox"/> four months	\$1,360.00	\$680.00
<input type="checkbox"/> five months	\$1,850.00	\$925.00

Extension of time fee due with this request: \$ 870.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for __ months has already been secured and the fee paid therefor of \$__ is deducted from the total fee due for the total months of extension now requested.

4. **Constructive Petition**

- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

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5. Fee Calculation

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims	12	minus	12	0	<u>0</u> x \$18 each=	+ \$0.00
Independent Claims	03	minus	03	0	<u>0</u> x \$84 each=	+ \$0.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)				1	\$270.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by 1/2 for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

6. Fee Payment

☐ No fee is to be paid at this time.

☒ Please charge Deposit Account 50-0310 in the amount of \$870.00 for the three-month extension fee.

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☒ **The Commissioner is hereby authorized to charge any fees including fees due under 37 CFR § 1.16 and § 1.17 which may be required, or credit any overpayment to Deposit Account 50-0310.**

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 

K. Karen Loewenstein
Registration No. 41,161

Dated: February 4, 2002

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